

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JACK EDWARD LUNDQUEST, :  
Petitioner, :  
v. : Civil Action No. 03-168J  
SUPERINTENDENT FREDRIC ROSEMEYER, :  
S.C.I. LAUREL HIGHLANDS, :  
Respondent :

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for a Report and Recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on May 18, 2006, docket no. 8, recommending that the petition for a writ of habeas corpus be denied and that a certificate of appealability be denied.

The parties were notified pursuant to 28 U.S.C. § 636(b)(1), that they had ten days to serve and file written objections to the Report and Recommendation. No objections have been filed, and the time to do so has expired.

After review of the record of this matter together with the Report and Recommendation, and noting the absence of timely objections thereto, the following order is entered:

AND NOW, this 30<sup>th</sup> day of June, 2006, it is

ORDERED that the petitioner's petition for a writ of habeas corpus is denied. A certificate of appealability is denied. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "K. R. Gibson", written over a horizontal line.

KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice to:

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